

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

VALERIE FALZON,

Plaintiff,

Ex-Ex

IN COURT OF COMMON
PLEAS OF NEW YORK

OCT 03 2012

★ ORDER

12 CV 674 (ILG) (CLP)

-against-

BROOKLYN OFFICE

FREDERICK E. JOHNSON and KA BULK
TRANSPORT, LLC, d/b/a KLEMM TANK
LINES,

Defendants.

-----x

GLASSER, United States District Judge:

A Report and Recommendation of Magistrate Judge Pollak, dated September 11, 2012, recommended that venue is proper in the Eastern District of New York pursuant to 28 U.S.C. § 1331(a) and that defendants have failed to carry their burden to demonstrate that a transfer of venue to the Northern District of Indiana is warranted under 28 U.S.C. 1404(a), and that the defendants' motion to transfer venue be denied. The Magistrate Judge's Report and Recommendation is bottomed upon a comprehensive study of the relevant authorities and is compellingly sound and uncontroversially not erroneous, clearly or otherwise or contrary to law. Any objections were to be made within fourteen days. Failure to do so waives the right to appeal. As of this date, no objection has been filed.

The Report and Recommendation, which thoroughly reviewed the facts is, after due consideration, hereby adopted in its entirety. Defendants' motion to transfer venue is denied.

SO ORDERED.

Dated: Brooklyn, New York
 October 9, 2012

s/ILG

I. Leo Glasser